

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 6/6/2024

**KATZMELINGER**  
370 LEXINGTON AVENUE, SUITE 1512  
NEW YORK, NEW YORK 10017  
www.katzmelinger.com

Jonathan Trinidad-Lira  
Katz Melinger PLLC

o: (212) 460-0047  
f: (212) 428-6811  
jtrinidadlira@katzmelinger.com

June 5, 2024

**VIA ECF**

Honorable Valerie E. Caproni  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**MEMO ENDORSED**

**Re: Wismeg et al. v. CUS MF Powerhouse LLC et al, Civil Action No. 1:24-cv-00600**

Your Honor:

Our office represents the Plaintiffs in the above-captioned matter.

On May 7, 2024, the Court issued an order directing the Parties to submit a settlement agreement to the Court on or before June 7, 2024 if the Parties seek to dismiss this action with prejudice. Dkt. No. 27. The Order further directed the Parties to appear for a conference on June 14, 2024 at 10:00 a.m. if the Parties do not submit the settlement agreement by June 7, 2024.

In response to Your Honor's Order, dated May 7, 2024, the Parties respectfully advise the Court that they are not seeking a dismissal with prejudice, but are working on a resolution to this matter, which will include an Offer of Judgment under Rule 68 of the Federal Rules of Civil Procedure. The Parties are working in good faith but need additional time. We therefore write jointly with counsel for Defendants to respectfully request an adjournment of the conference scheduled for June 14, 2024 to a date and time after June 21, 2024 that is convenient for the Court. We are hopeful that the Parties will have filed the Offer of Judgment by that time, which would obviate the need for the conference altogether. This is the Parties' first request for an extension of this deadline.

We thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Jonathan Trinidad-Lira  
Jonathan Trinidad-Lira

Cc: All counsel of record (via ECF)

Application GRANTED. The status conference scheduled for Friday, June 14, 2024, at 10:00 A.M. is CANCELED. The deadline for the parties to submit either a settlement agreement or an acceptance of an offer of judgment under Rule 68 is extended from Friday, June 7, 2024, to **Friday, June 21, 2024**. If no submission is filed by Friday, June 21, 2024, the parties must appear for a status conference on **Friday, June 28, 2024, at 10:00 A.M.**

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Valerie Caproni".

6/6/2024

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE